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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

E-FILED - 10/5/05

10 UNITED STATES OF AMERICA,) No. 05-CR-00164 RMW
11)
Plaintiff,) **STIPULATION AND**
12) **ORDER TO VACATE MOTION**
vs.) **HEARING DATE AND TO CONTINUE**
13) **SENTENCING DATE**
14 ROBERT JAMES ASCENCIO,)
15 Defendant.)
_____)

16 Defendant, Robert James Ascencio, through his counsel, Assistant Federal Public
17 Defender Angela M. Hansen, and government counsel, Assistant United States Attorney
18 Matthew Harris, stipulate and agree to vacate the motion hearing date in this case. At the change
19 of plea hearing on August 29, 2005, the Court set a briefing schedule so that Mr. Ascencio could
20 file a Motion to Dismiss Count Four of the Indictment. The Court also set a hearing date on the
21 motion for October 17, 2005 at 9:00 a.m. The parties request that the Court vacate this date
22 because government counsel has agreed to dismiss Count Four at the time of sentencing.

23 As for the sentencing date, the parties stipulate and agree to continue the sentencing from
24 November 14 to November 21, 2005 because the probation officer assigned to this case, Ms.
25 Karen Mar, is unavailable on November 14, 2005. Ms. Mar informed both counsel that she is
26 available on November 21, 2005.

For these reasons, the parties stipulate and agree to vacate the October 17 motion hearing

1 date and to continue sentencing from November 14 to November 21, 2005 at 9:00 a.m.

2 September 19, 2005

/s/

ANGELA M. HANSEN
Assistant Federal Public Defender

5 September 19, 2005

/s/

MATTHEW HARRIS
Assistant United States Attorney

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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. 05-CR-00164 RMW
11)
12 Plaintiff,) **ORDER TO VACATE**
13 vs.) **MOTION HEARING DATE AND TO**
14 ROBERT JAMES ASCENCIO) **CONTINUE SENTENCING DATE**
15 Defendant.)
_____)

16 Pursuant to the stipulation of the parties and good cause appearing, IT IS HEREBY
17 ORDERED that the motion hearing date of October 17, 2005 is vacated and the sentencing date
18 of November 14 is continued to November 21, 2005 at 9:00 a.m.

19 Dated: October 5, 2005

/s/ Ronald M. Whyte

HONORABLE RONALD M. WHYTE
United States District Judge

1 Distribute to:

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8 Ms. Karen Mar
9 United States Probation Officer
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